

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 2/3/2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 NATIONAL AUDUBON SOCIETY; NATURAL :
 RESOURCES DEFENSE COUNCIL, INC.; :
 AMERICAN BIRD CONSERVANCY; CENTER :
 FOR BIOLOGICAL DIVERSITY; DEFENDERS :
 OF WILDLIFE; NATIONAL WILDLIFE :
 FEDERATION; AND SIERRA CLUB; :

21-CV-448 (VEC)

ORDER

Plaintiffs, :

-against- :

U.S. FISH AND WILDLIFE SERVICE; AND U.S. :
 DEPARTMENT OF THE INTERIOR; :

Defendants. :

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STATE OF NEW YORK; STATE OF :
 CALIFORNIA; STATE OF CONNECTICUT; :
 STATE OF ILLINOIS; STATE OF MARYLAND; :
 COMMONWEALTH OF MASSACHUSETTS; :
 STATE OF MINNESOTA; STATE OF NEW :
 JERSEY; STATE OF NEW MEXICO; STATE OF :
 OREGON; COMMONWEALTH OF :
 PENNSYLVANIA; AND STATE OF :
 WASHINGTON; :

21-CV-452 (VEC)

Plaintiffs, :

-against- :

U.S. DEPARTMENT OF THE INTERIOR; AND :
 U.S. FISH AND WILDLIFE SERVICE; :

Defendants. :

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VALERIE CAPRONI, United States District Judge:


WHEREAS the undersigned accepted 21-CV-448 and 21-CV-452 as each related to three previously consolidated cases before this Court, *see* Docket Nos. 18-CV-4596, 18-CV-4601, and 18-CV-8084; and

WHEREAS the two newly filed cases, 21-CV-448 and 21-CV-452, “involve . . . common question[s] of law [and] fact,” Fed. R. Civ. P. 42(a),

IT IS HEREBY ORDERED that no later than **February 17, 2021**, each group of parties—that is, the Audubon Plaintiffs, the States, and Defendants—must file a letter setting forth that group’s position on whether these cases ought to be consolidated under Fed. R. Civ. P. 42(a)(2). To the extent the parties (or any portion of them) are in agreement on their response to this order, they are welcome to file a joint letter.

SO ORDERED.

Date: February 3, 2021
New York, New York


VALERIE CAPRONI
United States District Judge